

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Gloria Jean Knapp
Debtor(s)

Bankruptcy Case No.: 18-11178-TPA
Per June 4, 2019 Proceeding
Chapter: 13
Docket No.: 25 - 13, 19
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 7, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,940.00 as of June 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: U.S. Bank (Claim No. 5) and Freedom Mortgage (Claim No. 7) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: June 5, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Gloria Jean Knapp
 Debtor

Case No. 18-11178-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 35

Date Rcvd: Jun 05, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 07, 2019.

db
 14979305 +Gloria Jean Knapp, 4013 Hatch Run Road, Warren, PA 16365-8148
 14979591 +Citizens Bank N.A., One Citizens Bank Way, JCA115, Johnston R.I. 02919-1922
 14948359 +Citizens Bank NA, One Citizens Bank Way JCA115, Johnston, RI 02919-1922
 14948363 +Citizens Bank Na, 480 Jefferson Boulevard, Warwick, RI 02886-1359
 14954093 +Community Bank Na, 45-49 Court Street, Canton, NY 13617-1179
 14948364 +Community Bank, N.A., PO Box 509, Canton, NY 13617-0509
 14948364 +Credit First NA, 6275 Eastland Road, Brookpark, OH 44142-1399
 14948368 +Donald E Lewis Funeral Home Inc, 304 East Street, Warren, PA 16365-2322
 14948369 +Fifth Third Bank, 5050 Kingsley Drive, Cincinnati, OH 45227-1115
 14948370 +Five Star Bank, 55 North Main Street, Warsaw, NY 14569-1325
 14948371 +Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, IN 46037-9764
 14982330 Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, Indiana 46037-9764
 14982084 +PNC BANK N.A., P.O. BOX 94982, CLEVELAND, OH 44101-4982
 14948375 +Phillips & Cohen Associates Ltd, 1002 Justison Street, Wilmington, DE 19801-5148
 14948376 +Pnc Bank, N.a., Po Box 3180, Pittsburgh, PA 15230-3180
 14948377 +Receivables Outsourcing LLC, PO Box 62850, Baltimore, MD 21264-2850
 14948379 +Synchrony Bank / Grossman's Bargain, PO Box 960061, Orlando, FL 32896-0061
 14948380 +The Home Depot, PO Box 9001010, Louisville, KY 40290-1010
 14948381 +Tractor Supply, PO Box 9001006, Louisville, KY 40290-1006
 14948382 +Travelers, NBT Insurance Agency LLC, 66 South Broad Street, Norwich, NY 13815-1736
 14948383 +UPMC Community Medicine, 6681 Country Club Drive, Minneapolis, MN 55427-4601
 14981103 +US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, Bankruptcy Department,
 PO Box 5229, Cincinnati, Ohio 45201-5229)
 14948385 +Warren General Hospital, 2 West Crescent Park, Warren, PA 16365-2199

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14948358 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jun 06 2019 03:22:55
 Bayview Financial Loan, 4425 Ponce De Leon Boulevard, Coral Gables, FL 33146-1873
 14948360 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 06 2019 03:22:02 Comenity Bank / Bonton,
 Po Box 182789, Columbus, OH 43218-2789
 14948361 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 06 2019 03:22:02 Comenity Bank / Kay's,
 3100 Easton Square Plaza, Columbus, OH 43219-6232
 14948362 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 06 2019 03:22:02
 Comenity Capital Bank / Haband, Po Box 182120, Columbus, OH 43218-2120
 14948365 E-mail/Text: mrdiscen@discover.com Jun 06 2019 03:21:45 Discover Bank, PO Box 30943,
 Salt Lake City, UT 84130
 14948366 E-mail/Text: mrdiscen@discover.com Jun 06 2019 03:21:45 Discover Financial Services LLC,
 Po Box 15316, Wilmington, DE 19850
 14953125 E-mail/Text: mrdiscen@discover.com Jun 06 2019 03:21:45 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14948367 +E-mail/Text: bankruptcy.bnc@ditech.com Jun 06 2019 03:21:57 Ditech Financial LLC,
 Po Box 6172, Rapid City, SD 57709-6172
 14948372 +E-mail/Text: BKRMailOPS@weltman.com Jun 06 2019 03:21:59 Kay Jewelers, 375 Ghent Road,
 Fairlawn, OH 44333-4600
 14948373 +E-mail/Text: bankruptcy@nbtbank.com Jun 06 2019 03:22:54 Nbt Bank Na,
 52 South Broad Street, Norwich, NY 13815-1699
 14948374 +Fax: 407-737-5634 Jun 06 2019 04:16:48 Ocwen Loan, 1661 Worthington Road,
 West Palm Beach, FL 33409-6493
 14948378 +E-mail/Text: bankruptcy@bbandt.com Jun 06 2019 03:22:05 Sheffield Financial Company,
 2554 Lewisville Clemmons, Clemmons, NC 27012-8110

TOTAL: 12

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 14948384* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: Us Bank, Po Box 5227, Cincinnati, OH 45201)

TOTALS: 1, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-1

User: jmar
Form ID: 149

Page 2 of 2
Total Noticed: 35

Date Rcvd: Jun 05, 2019

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 07, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 5, 2019 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Gloria Jean Knapp dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Freedom Mortgage Corporation bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 4